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Attorney for the Plaintiff
United States of America

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA,) Case No. C 10-01587 M (JL)
Plaintiff,) **PLAINTIFF'S UPDATED CASE
MANAGEMENT STATEMENT
WITH CERTIFICATE OF SERVICE
BY MAIL ATTACHED**
v.) Date : November 3, 2010
ANDREW McGREGOR,) Time : 10:30 A. M.
Defendant.) Place: Magistrate Judge James Larson
Courtroom F
450 Golden Gate Avenue
San Francisco, CA

Plaintiff submits its updated Case Management Statement as follows.

DESCRIPTION OF THE CASE

1. A brief description of the events underlying the action:

Student loan totaling approximately \$138,090.42 as of September 14, 2010.

2. UPDATE: At the third CMC held September 22, 2010, the defendant agreed to submit to counsel for plaintiff the required financial declaration/statement with the settlement offer that he submitted to counsel for plaintiff prior to the September 22, 2010, CMC.

Defendant also stated that he would formalize his retainer agreement with his counsel.

1 By October 13, 2010, counsel for plaintiff received nothing, nor heard anything, from
 2 the defendant or his alleged counsel.

3 On October 13, 2010, counsel for plaintiff mailed a letter to defendant reminding him
 4 that his completed financial statement/declaration was due in plaintiff's counsel's office on
 5 September 29, 2010. Counsel for plaintiff enclosed a copy of the court's minute order that
 6 resulted from the September 22, 2010, CMC.

7 The time of the drafting of this plaintiff's CMC statement is 5:45 P.M., October 26,
 8 2010. To date counsel for plaintiff has received nothing, nor heard anything, from the
 9 defendant or from any alleged counsel for the defendant.

10 3. Based upon the continued failure of defendant to submit to counsel for
 11 plaintiff the financial statement/declaration, the failure of defendant to respond in any
 12 manner to counsel for plaintiff's October 13, 2010, letter, and the failure of defendant to
 13 cause his alleged counsel to contact counsel for plaintiff, plaintiff requests:

14 (1) that the CMC calendared for November 3, 2010, be dropped from the court's
 15 calendar so that no party be required to appear, and

16 (2) that the parties be given until November 24, 2010, to file a dispositive motion;
 17 Respectively submitted,

18 Dated: October 26, 2010 _____

/s/

19 M. COSENTINO, Counsel for the U.S.
 20

21 The Case Management Conference is continued to December 29, 2010 at 10:30 a.m.
 22

23 October 28, 2010



CERTIFICATE OF SERVICE BY MAIL

I am a citizen of the United States and a resident of the County of Alameda, I am over the age of eighteen and not a party to the within above-entitled action; my business address is: 1070 Marina Village Parkway, Suite #206, Alameda, CA 94501.

On October 26, 2010, I served the

PLAINTIFF'S UPDATED CASE MANAGEMENT STATEMENT

on the parties in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post office box at Alameda/Oakland, California addressed as follows:

Andrew McGregor
833 Miller Avenue
South San Francisco, CA 94080-2432

I certify under penalty of perjury that the foregoing is true and correct.

Executed on October 26, 2010, at Alameda, California.

/s/
MICHAEL COSENTINO